

**IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

MICHAEL CRUZ

and

**ANSLY BERBERENA, Individually in her
own right, and as parent and natural guardian
of F.L., a minor.**

Plaintiffs,

v.

ROYAL TRUCKING COMPANY

and

ROYAL TRUCKING LOGISTICS, INC.

and

HAMILTON QUARTERMAN

and

**JOHN DOE (1-10), all individually and/or in
their capacity as agents, servants, and/or employees
of named Defendants.**

and

**ABC CORPORATION (1-10), all individually
and/or in their capacity as agents, servants, or
employees of named Defendants.**

Defendants.

CIVIL ACTION - LAW

NO.: 1:17-cv-02170-JHR-KMW

**JUDGMENT APPROVING MINOR'S
SETTLEMENT AND DIRECTING THE
DEPOSIT OF FUNDS**

This matter having come before the Court in accordance with R.4:44-3 on Sept. 25, 2018, and David M. Rapoport, Esquire, attorney for the plaintiffs, and Charles T. McCook, Jr., Esquire, attorney for the defendants, appearing; and the attorneys for the parties having reported to the court that they have arrived at a settlement of the minor plaintiff's claim between the plaintiff and the defendants; and the Court having reviewed the physician reports and taken proofs on the record concerning the minor's injuries, disabilities and medical expenses and being satisfied that the settlement amount(s) is/are fair and reasonable and in the minor's best interest.

IT IS on this 25th day of September, 2018, **ORDERED and ADJUDGED** that:

1. Judgment is entered on behalf of minor/plaintiff, F.L., a minor by her Parent and Natural Guardian, Ansly Berberena, in the gross amount of \$7,500.00 against the defendants without costs and/or interest;
2. The following deductions shall be made from the gross settlement proceeds as follows:

- a. \$1,875.00 to be paid to the plaintiff's attorney(s) which satisfies the attorneys' contingent fee of \$1,875.00 (i.e. 25% of gross settlement for minor); and
- b. \$ 0.00 for expended costs or medical bills from the minor's recovery as said costs are waived, and any and all medical expenses were paid by the minor's parent and natural guardian, Ansly Berberena, and/or her private health insurance;

3. Pursuant to R. 4:44 the minor/plaintiff's net recovery of \$5,625.00 shall be paid by or on behalf of the defendant(s) by check payable to the duly qualified parent and natural guardian of the estate of F.L., a minor, and to the plaintiff's counsel as follows: "Ansly Berberena as p/n/g of F.L., a minor, and David M. Rapoport, Esq.";

4. The defendants shall immediately make this total gross settlement payment in the amount of \$7,500.00 to the plaintiff's counsel upon issuance of this Order;

5. Counsel for plaintiffs is hereby authorized to execute all documentation necessary to purchase saving certificate(s), from federally insured banks or savings institutions in the sum of \$5,625.00 each not to exceed the insured amount, with the funds payable to the minor/plaintiff, F.L., upon reaching her majority. The Certificate shall be titled and restricted as follows:

"F.L., a minor, not to be redeemed except for renewal in its entirety, not to be withdrawn, assigned, negotiated, or, otherwise alienated before the minor attains majority, except upon prior Order of Court";

or

Counsel shall open a savings account in the sum of \$5,625.00 in the name of the minor. The savings account shall be titled and restricted as follows:

"F.L., a minor, not to be withdrawn before the minor attains majority, or upon prior Order of Court."

6. Ansly Berberena, the parent and natural guardian of the minor's estate, is authorized to invest and reinvest the minor's settlement estate in such investments as the guardian of the estate deems advisable and prudent, subject, however, to all limitations or restrictions concerning the investment, use or expenditure of funds held by fiduciaries that are now in force or that may be hereafter established, and subject further to the duty

of the guardian of the minor's estate to deliver the estate to the minor upon his/her attaining majority, or to his/her estate should the minor die before reaching his/her majority;

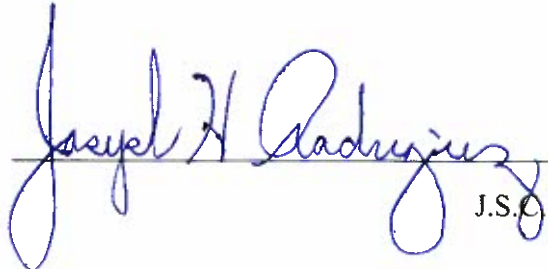
7. The parent and natural guardian of the minor's estate is not authorized to receive any additional funds or property on behalf of the minor plaintiff in relation to this action;

8. The attorney for the plaintiff shall deliver a copy of this Judgment to all parties within ten (10) days of the date hereof;

9. Counsel for plaintiff shall file with the Clerk of this Court, within sixty (60) days from the date of this Judgment Order, proof of establishment of the above account(s) as required herein by Certification from counsel certifying compliance with this Order. Counsel shall attach to the Certification a copy of the Certificate of Deposit and/or bank account containing the required funds and restrictions on behalf of the minor/plaintiff;

9. The Plaintiff, Michael Cruz, individually has resolved his claim against all defendants in the total sum of \$200,000.00; and,

10. The Plaintiff, ANSLY BERBERENA, individually has resolved her claim against all defendants in the total sum of \$10,000.00.


J.S.C.